

1 magc

1644

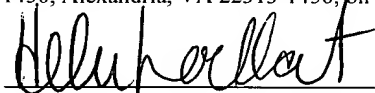
DOCKET NO.: B0801.70187US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brenner et al.
Serial No.: 09/654,328
Confirmation No.: 5793
Filed: September 1, 2000
For: METHODS AND COMPOSITIONS FOR TREATMENT OF
INFLAMMATORY DISEASE USING CADHERIN-11 MODULATING
AGENTS
Examiner: Haddad, Maher M.
Art Unit: 1644

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 8th day of September, 2003.


Helen C. Lockhart

TRANSMITTAL

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- [X] Copy of Notice of Non-Compliant Amendment (37 CFR 1.121)
- [X] Response to Notice of Non-Compliant Amendment (37 CFR 1.121), with copy of updated claims
- [X] Return Receipt Postcard

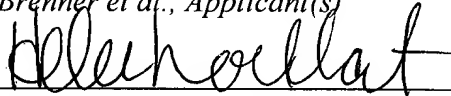
If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

Serial No.: 09/654,328
Docket No.: B00801.70187.US
Page 2 of 7

No check is enclosed. The Commissioner is hereby authorized to charge any required fees to Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

Brenner et al., Applicant(s)

A handwritten signature in cursive script, appearing to read 'Helen C. Lockhart', written over a horizontal line.

Helen C. Lockhart, Reg. No. 39,248

Wolf, Greenfield & Sacks, P.C.

600 Atlantic Avenue

Boston, Massachusetts 02210-2211

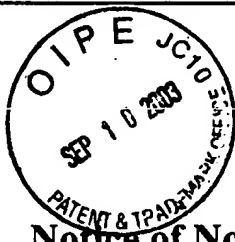
Telephone: (617)720-3500

Docket No. B0801.70187US00
Date: September 8, 2003
x09/08/03



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov



Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 7.16.03 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see *68 Fed. Reg. 38611*, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following omission(s) or provision is required. **Only the section (1.121(h)) of the amendment document containing the omission or non-compliant provision must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.**

THE FOLLOWING CHECKED (X) ELEMENTS(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

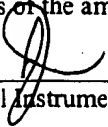
- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all claims (incl. withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☒ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is **not extendable**.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION**, and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. **The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.**


Legal Instruments Examiner (LIE)



DOCKET NO.: B0801.70187US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brenner et al.
Serial No.: 09/654,328
Confirmation No.: 5793
Filed: September 1, 2000
For: METHODS AND COMPOSITIONS FOR TREATMENT OF
INFLAMMATORY DISEASE USING CADHERIN-11 MODULATING
AGENTS
Examiner: Haddad, Maher M.
Art Unit: 1644

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 8th day of September, 2003.

Helen C. Lockhart

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)

Sir:

In response the Office Communication mailed August 8, 2003, Applicant is resubmitting the claims section of the Amendment previously mailed on July 14, 2003 to provide a complete listing of all claims in order to comply with the "voluntary" revised amendment practice.

Replacement claims are reflected in the listing of claims that begins on page 2 of this Response.

Remarks begin on page 5 of this Response.